

## HB31 INTRODUCED



1 HB31  
2 L5Q4EWY-1  
3 By Representatives Ingram, Butler  
4 RFD: Health  
5 First Read: 13-Jan-26  
6 PFD: 14-Aug-25



## SYNOPSIS:

This bill would require the Department of Human Resources to request a waiver from the United States Department of Agriculture Food and Nutrition Service to exclude soda, energy drinks, candy, and prepared desserts from the definition of "eligible food" for purposes of Supplemental Nutrition Assistance Program (SNAP) benefits.

If the waiver is granted, this bill would require the department to prohibit the purchase of soda, energy drinks, candy, and prepared desserts with SNAP benefits.

This bill would also require the department to annually resubmit the request for a waiver if the request is denied.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to public assistance; to require the Department of Human Resources to request a waiver to exclude certain food products, including soda, energy drinks, candy, and prepared desserts, from the definition of "eligible foods"



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for purposes of SNAP benefits; to require the department to prohibit the purchase of soda, energy drinks, candy, and prepared desserts with SNAP benefits if the waiver is granted; and to provide for the resubmission of the request, if the request is denied.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) CANDY. A product that involves the preparation of sugar or artificial sweeteners in combination with chocolate, fruits, nuts, caramels, gummies, or hard candies or other ingredients or flavorings in the form of bars, drops, or pieces.

(2) DEPARTMENT. The State Department of Human Resources.

(3) ENERGY DRINK. A beverage containing at least 65 milligrams of caffeine per eight fluid ounces which is advertised as being specifically designed to provide metabolic stimulation or an increase to the consumer's mental physical energy. The term does not include coffee or tea or any substantially coffee or tea-based beverage.

(4) PREPARED DESSERT. A processed, shelf-stable, ready-to-eat, pre-packaged sweet food intended for immediate consumption without any further preparation. The term includes foods mostly made out of chemically modified substances extracted from foods, along with additives to enhance taste, texture, appearance, and durability, with minimal whole foods.

(5) SNAP BENEFIT. A financial benefit, coupon, or



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privilege available under the federal Supplemental Nutrition Assistance Program, 7 U.S.C. Chapter 51.

(6) SODA. A beverage that is made with carbonated water and that is flavored or sweetened with added sugar or artificial sweeteners such as corn sweetener, corn syrup, dextrose, fructose, glucose, high-fructose corn syrup, lactose, malt syrup, maltose, molasses, raw sugar, or sucrose. The term does not include carbonated water that is plain or naturally flavored or any beverage that is greater than 50 percent vegetable or fruit juice by volume, or that contains less than five grams of added sugar.

(7) USDA FOOD AND NUTRITION SERVICE. The United States Department of Agriculture Food and Nutrition Service.

(b) The commissioner of the department shall request a waiver from the USDA Food and Nutrition Service to authorize the department to exclude soda, energy drinks, candy, and prepared desserts from the definition of "eligible foods" under 7 C.F.R. § 271.2.

(c) If the waiver described in subsection (b) is approved by the USDA Food and Nutrition Service, the department shall prohibit the use of SNAP benefits for the purchase of soda, energy drinks, candy, and prepared desserts.

(d) If the waiver described in subsection (b) is denied, the commissioner shall resubmit the request for a waiver to the USDA Food and Nutrition Service annually, until approval is granted.

Section 2. This act shall become effective on October 1, 2026.